Place of Meeting: Holiday Inn Bethesda, 8120 Wisconsin Avenue, Bethesda, MD 20814.

Time: 8:30 a.m. to adjournment.

Contact Person: Barbara Smothers, Ph.D., 6000 Executive Blvd, Suite 409, Bethesda, MD 20892–7003, 301–443–4623.

Agenda: To review and evaluate grant applications.

(Catalog of Federal Domestic Assistance Program No. 93.271, Alcohol Research Career Development Awards for Scientists and Clinicians; 93.272, Alcohol National Research Service Awards for Research Training; 93.273, Alcohol Research Programs; 93.281, Scientist Devolopment Award, Research Scientist Development Award, Scientist Development Award for Clinicians, and Research Scientist Award; 93.891, Alcohol Research Center Grants; National Institutes of Health).

Dated: January 12, 1995.

Susan K. Feldman,

Committee Management Officer, NIH.

[FR Doc. 95–1563 Filed 1–20–95; 8:45 am]

BILLING CODE 4140–01–M

DEPARTMENT OF HOUSING AND URBAN DEVELOPMENT

Office of the Secretary

[Docket No. N–95–3038; FR–2736–N–14]

Regulatory Waiver Requests Granted

AGENCY: Office of the Secretary, HUD.

ACTION: Public notice of the granting of regulatory waivers.

SUMMARY: Under Section 106 of the Department of Housing and Urban Development Reform Act of 1989 (Reform Act), the Department is required to make public all approval actions taken on waivers of regulations. This Notice provides notification of waivers granted during the period from October 26, 1993 to June 30, 1994.

FOR FURTHER INFORMATION CONTACT: For general information about this Notice, contact Camille E. Acevedo, Assistant General Counsel for Regulations, Room 10276, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410; (202) 708–2084; (TDD) (202) 708–3259. (These are not toll-free numbers.) For information concerning a particular waiver action, contact the person whose name and address is set out for the particular item in the accompanying list of waiver-grant actions.

SUPPLEMENTARY INFORMATION: Section 106 of the Reform Act amended Section 7 of the Department of Housing and Urban Development Act (42 U.S.C. 3535(q)(3)) to provide:

1. Any waiver of a regulation must be in writing and must specify the grounds for approving the waiver;

2. Authority to approve a waiver of a regulation may be delegated by the Secretary only to an individual of Assistant Secretary rank or equivalent rank, and the person to whom authority to waive is delegated must also have authority to issue the particular regulation to be waived;

3. Not less than quarterly, the Secretary must notify the public of all waivers of regulations that the Department has approved, by publishing a Notice in the **Federal Register**. These Notices (each covering the period since the most recent previous notification) shall:

a. Identify the project, activity, or undertaking involved;

b. Describe the nature of the provision waived, and the designation of the provision;

c. Indicate the name and title of the person who granted the waiver request;

d. Describe briefly the grounds for approval of the request;

e. State how additional information about a particular waiver grant action may be obtained.

Today's document notifies the public of HUD's waiver-grant activity from October 26, 1993 to June 30, 1994. The next Notice, which will be published in the near future, will cover the period from July 1, 1994 through September 30, 1994.

For ease of reference, waiver requests granted by departmental officials authorized to grant waivers are listed in a sequence keyed to the section number of the HUD regulation involved in the waiver action. For example, a waiver-grant action involving exercise of authority under 24 CFR 24.200 (involving the waiver of a provision in part 24) would come early in the sequence, while waivers in the Section 8 and Section 202 programs (24 CFR Chapter VIII) would be among the last matters listed. Where more than one regulatory provision is involved in the grant of a particular waiver request, the action is listed under the section number of the first regulatory requirement in Title 24 that is being waived as part of the waiver-grant action. (For example, a waiver of both § 811.105(b) and § 811.107(a) would appear sequentially in the listing under § 811.105(b).) Waiver-grant actions involving the same initial regulatory citation are in time sequence beginning with the earliest-dated waiver-grant action.

Should the Department receive additional reports of waiver actions taken during the period covered by this report before the next report is published, the next updated report will include these earlier actions.

Accordingly, information about approved waiver requests pertaining to regulations of the Department is provided in the Appendix to this Notice.

Dated: December 9, 1994.

Henry G. Cisneros,

Secretary.

Appendix

Listing of Waivers of Regulatory Requirements Granted by Officers of the Department of Housing and Urban Development

October 26, 1993 through June 30, 1994

Note to the reader: The person to be contacted for additional information about the waiver grant items in this listing is: Robert J. Coyle, Director, Title I Insurance Division, Department of Housing and Urban Development, 490 L'Enfant Plaza East, Suite 3214, Washington, DC 20024, Telephone 202–755–7400.

1. Regulation: 24 CFR 201.20(a)(3)

Project/Activity: Title I property improvement loans for the repair of damage resulting from the January 1994 earthquake which impacted Los Angeles, Ventura and Orange Counties in California.

Nature of Requirement: For any property improvement loan (or combination of such loans) in excess of $15,000, the borrower must have equity in the property at least equal to the loan amount.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 7, 1994.

Reason Waived: The equity requirement makes it extremely difficult for earthquake victims to qualify for loans over $15,000, due to the general loss in property values that occurs following a disaster of this magnitude, as well as the problems in obtaining a valid appraisal of any property that has sustained major earthquake damage. Waiver of the equity requirement makes it possible for greater numbers of earthquake victims to use the Title I property improvement loan program and greatly expedites loan processing.

2. Regulation: 24 CFR 201.20(b)(3)

Project/Activity: Title I property improvement loans for the repair of damage resulting from the January 1994 earthquake which impacted Los Angeles, Ventura and Orange Counties in California.

Nature of Requirement: The proceeds of a property improvement loan may be used only for improvements that are started after loan approval.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: February 7, 1994.

Reason Waived: This provision has previously been waived in emergency situations, to allow borrowers to begin work prior to final loan approval. A waiver in this case allows borrowers to make emergency repairs to their properties; however, the lender has to document the loan file giving the reasons why it was necessary to begin work before final loan approval.

3. Regulation: 24 CFR 201.25(c)

Project/Activity: Title I property improvement loans for the repair of damage resulting from the January 1994 earthquake which impacted Los Angeles, Ventura and Orange Counties in California.

Nature of Requirement: The Title I regulations list certain fees and charges which the lender normally collects from the borrower in cash as part of the borrower's initial payment on a property improvement loan. These fees and charges may not be financed or advanced by any party to the loan transaction.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: February 7, 1994.

Reason Waived: This waiver permits the following fees and charges to be financed in the Title I loan, as long as the maximum loan limits are not exceeded: (a) A loan origination fee, not to exceed one percent of the loan amount; and (b) recording fees, recording taxes, filing fees and documentary stamp taxes. Financing these fees and charges reduces the initial cash investment required to obtain these loans.

4. Regulation: 24 CFR 201.54(b)(1)

Project/Activity: Title I property improvement loans for the repair of damage resulting from the January 1994 earthquake which impacted Los Angeles, Ventura and Orange Counties in California.

Nature of Requirement: The Title I regulations provide that insurance claims on property improvement loans must be filed with the Department within nine months after the date of default.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: February 7, 1994.

Reason Waived: This waiver permits claims to be filed up to twelve months after the date of default. However, the lender has to document the loan file to show that the borrowers experienced a loss of income or other financial difficulties directly attributable to the earthquake, and that additional time to provide forbearance was required.

5. Regulation: 24 CFR 201.20(b)(3)

Project/Activity: Title I property improvement loan to provide accessibility for handicapped low-income homeowners.

Nature of Requirement: The proceeds of a property improvement loan may be used only for improvements that are started after loan approval.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: April 22, 1994.

Reason Waived: This provision has previously been waived in emergency situations, to allow borrowers to begin work prior to final loan approval. A waiver was granted in this case to allow the borrowers to proceed with the construction of an access ramp and special bathroom railings, so that the home could be occupied as soon as possible after acquisition.

Note to reader: The person to be contacted for additional information about the waiver-grant items in this listing is: Olive Walker, Chief, Directives, Reports and Forms Branch, Office of Housing, Management Division, Department of Housing and Urban Development, 451 Seventh Street, SW, Washington, DC 20410, Telephone (202) 708–1694.

6. Regulation: 24 CFR 207.259(e)

Project/Activity: Batavia, New York HA refunding of bonds which financed a Section 8 assisted project, the Washington Towers Apartments (FHA No. 014–35047).

Nature of Requirement: The Regulations set conditions under which HUD may call debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: May 5, 1994.

Reasons Waived: This credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on February 18, 1994. Refunding bonds have been priced to an average yield of 6.43%. The tax-exempt refunding bond issue of $4,850,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 9.2% at the call date with tax-exempt bonds yielding 6.43%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 9.5% to 7.25, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

7. Regulation: 24 CFR 207.259(e)

Project/Activity: Community Redevelopment Agency of the City of Los Angeles refunding of bonds which financed eight Section 8 assisted projects (list attached).

Nature of Requirement: The Regulation authorizes call of FHA debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: June 6, 1994.

Reason Waived: To credit enhance refunding bonds not fully secured by the FHA mortgage amounts, HUD agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on November 18, 1993. Refunding bonds have been priced to an average yield of 6.42%. The tax-exempt refunding bond issue of $20,600,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons at an average yield of 10.65% at the call date with tax-exempt bonds yielding 6.42%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contracts, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Note to the reader: The person to be contacted for additional information about this waiver-grant item is: Kevin J. East, Office of Multifamily Housing Programs, U.S. Department of Housing and Urban Development, 451 Seventh

Street, SW., Room 6106, Washington, DC 20410–7000, Phone: (202) 708–2495.

8. Regulation: 24 CFR 248.105(a)(2)

Project/Activity: Rip Van Winkle Apartments Project No. 013–44014.

Nature of Requirement: Regulation prohibits participation in LIHPRHA of 1990 if HUD-held mortgage defaults after date of enactment.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: May 25, 1994.

Reason Waived: The project, whose mortgage had been assigned to HUD prior to the enactment of LIHPRHA, had stayed current in its mortgage payments, once the mortgage had been brought current, prior to LIHPRHA's enactment. On three occasions after LIHPRHA's enactment, the mortgage payment was made more than 30 days after the due date, creating a default under the Deed of Trust. The regulation, implementing section 212(c) of LIHPRHA, prohibits projects which have HUD-held mortgages which default after LIHPRHA's enactment from participating in LIHPRHA. The regulation reflects an administrative interpretation of statute which sought to keep HUD-held mortgages, once current, fully current by providing LIHPRHA eligibility as motivation for keeping the mortgage payments current.

The regulation was not intended to capture ''minute'' or momentary defaults, in this instance three in the space of three years, mostly attributable to clerical errors on site in the timely processing of Section 8 HAP payment vouchers. It was intended to capture owners who simply stop making payments on HUD-held mortgages for one reason or another. In this case each payment was made within seven days of the 30 day deadline. A literal application of the regulation in this instance was considered harsh and unnecessarily punitive.

As a result of granting the waiver, the housing will be preserved as a low-income housing resource for at least 30 years after the mortgage and its existing restrictions expire.

Note to reader: The person to be contacted for additional information about waiver-grant item in this listing is: Ms. Linda Cheatham, Director, Office of Insured Multifamily Housing Development, Department of Housing and Urban Development, 451 Seventh Street, SW., Room 6134, Washington, DC 20410–7000, Phone: (202) 708–3000, TDD: (202) 708–4594.

9. Regulation: Notice of Invitation for Applications Accompanying Interim Rule 24 CFR part 266 and § 266.105(b)(1)

Project/Activity: Metropolitan Dade County Housing Finance Authority, Dade County, Florida.

Nature of Requirement: Delay in remitting application fee for review of the Dade County Housing Finance Agency (HFA) under the HRA Risk Sharing program. Internal process for requesting funds from surplus account takes approximately 8 weeks.

Granted by: Linda D. Cheatham.

Reason Waived: The Dade County, Florida could not provide the $10,000 application fee with the application. At the time, they needed the approval from the Board of Directors and the County commissioners which normally takes up to 8 weeks. They would be able to make the wire transfer of $10,000 no later than March 31, 1994. We will grant a waiver to permit them to complete this transaction by March 31, 1994.

10. Regulation: 24 CFR 266.105(b)(11) and Notice of Invitation for Application Accompanying Interim Rule 24 CFR Part 266

Project/Activity: Texas Department of Housing and Community Affairs.

Nature of Requirement: State Law prohibits the Texas Department of Housing and Community Affairs from putting public funds into a private financial institution as required by the Part 266 for HFA Risk-Sharing regulations.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 31, 1994.

Reason Waived: State law prohibits the Texas Department of Housing Community Affairs from putting public funds into a private financial institution as required by the Section 542(c) regulations. This Agency is required to deposit all revenues and funds with the Texas Treasury Safekeeping Trust Company, which was created by the State. This Company is not governed by the Comptroller of the currency, FDIC or the Federal Reserve Board nor is its debt rated by Moody's or Standard and Poor's. Their authority does permit them to name HUD as joint owner of the dedicated reserve account allowing HUD the right to approve withdrawals as required in the regulation. We will waive the requirements on the condition that HUD can be named as joint owner of the account and has the right to approve withdrawals.

11. Regulation: 24 CFR 266.10(d)

Project/Activity: Fairfax County Housing and Redevelopment Authority.

Nature of Requirement: The Fairfax County Housing and Redevelopment Authority has requested permission to operate as a State Housing Finance Agency.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 31, 1994.

Reason Waived: The Fairfax County Housing and Redevelopment Authority has requested that they be allowed to operate as a State Housing Finance Agency. They also requested that they be allocated the maximum amount of units for the State, as if the State Agency applied for program participation. Section 36 of the Virginia State Code establishes the Fairfax County Housing and Redevelopment Authority as a political subdivision of the Commonwealth of Virginia. In that capacity they have cooperation agreements with other jurisdictions, administer programs, disperse grant funds and finance projects outside Fairfax County. The Fairfax County Housing and Redevelopment Authority has the authority to act on behalf of the State as outlined in Section 36 of the State code. We have granted a waiver to permit the Fairfax County Housing and Redevelopment Authority to function in the capacity of a State Finance housing Agency.

12. Regulation: 24 CFR 266.15(b)(5)(viii)

Project/Activity: New York City Housing Development Corporation.

Nature of Requirement: Section 266.15(5)(viii) requires the Agency to maintain Lender's Fidelity Bond/Surety Bond and Errors and Omissions Insurance.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: March 16, 1994.

Reason Waived: New York City Housing Development corporation requested a waiver to § 266.15(f)(b)(viii) requiring the Agency to maintain Lender's Fidelity Bond/Surety Bond and Errors and Omissions Insurance in such an amount as satisfactory to the Commissioner. We will grant a waiver to this regulation because this Agency is self-insured, which meets the requirement for insurance.

13. Regulation: 24 CFR 811.106(d) and 811.107(d) of 1977 Regulations

Project/Activity: Refunding on behalf of the Housing Authority of Memphis of bonds which financed an uninsured

Section 8 assisted project: Northlake Apartments, HUD Project Number TN40–0002–001.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-FHA Commissioner.

Date Granted: April 14, 1994.

Reason Waived: The part 811 regulations cited above prohibited refundings and required that excess reserve balances be used for project purposes. The issuer has requested HUD permission to refund outstanding bonds at 7.88 percent and release excess reserve balances from the 1978 Trust Indenture to help pay transaction costs. Issuance of the 1994 Bonds at a yield of 5.9 percent will reduce Section 8 assistance payments and provide allocation of 50 percent of such savings to the Housing Authority for project purposes pursuant to Section 1012 of the McKinney Act.

14. Regulation: 24 CFR 811.106(b), 811.106(d), and 811.107(d) of 1977 Regulations.

Project/Activity: Kinston, North Carolina HA refunding of bonds which financed an insured Section 8 assisted project: Kinston Towers, FHA Number 053–94015.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-FHA Commissioner.

Date Granted: April 29, 1994.

Reason Waived: The part 811 regulations cited above restricted to 30 years HAP Contracts for elderly housing, prohibited refundings, and required that excess reserve balances be used for project purposes. The issuer has requested HUD permission to release excess reserve balances from the 1977 Trust Indenture and the Project Residual Receipts Account for use in its housing assistance programs for low- and moderate-income families. Issuance of 1994 refunding bonds under Section 103 of the Tax Code will not reduce project debt service nor generate Section 8 savings. The 1994 Bonds will prepay a Section 223(f) coinsured mortgage which defeased the 1977 Bonds in 1986.

15. Regulation: 24 CFR 811.106(d) and 811.107(d) of 1977 Regulations

Project/Activity: Hickory, North Carolina HA refunding of bonds which financed an uninsured Section 8 assisted project: West Hickory Apartments, HAP Number NC19–0011–060.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-FHA Commissioner.

Date Granted: April 29, 1994.

Reason Waived: The part 811 regulations cited above prohibited refundings and required that excess reserve balances be used for project purposes. The issuer has requested HUD permission to release excess reserve balances from the 1978 Trust Indenture to finance rehabilitation of the project. The 1978 Bonds will be prepaid by a bank loan on terms which will reduce project debt service and Section 8 contract rents.

16. Regulation: 24 CFR 811.107(a)(2), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3) 811.114(d), 811.115(b)

Project/Activity: Briarwick (Kokomo, IN) HDC refunding of bonds which financed a Section 8 assisted project, the Briarwick Apartments (FHA No. 073–35396).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: April 14, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on March 22, 1994. Refunding bonds have been priced to an average yield of 7.1%. The tax-exempt refunding bond issue of $3,640,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10%–10.25% at the call date with tax-exempt bonds yielding 7.1%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 10.23% to 7.7%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

17. Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Fremont, North Carolina HDC refunding of bonds which financed a Section 8 assisted project, the Torhunta Apartments (FHA No. 053–35429).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: April 21, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on February 9, 1993. Refunding bonds have been priced to an average yield of 6.74%. The tax-exempt refunding bond issue of $1,385,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 11.5% at the call date with tax-exempt bonds yielding 6.74%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 11.48% to 6.8%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

18. Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Salisbury, North Carolina Housing Corporation of bonds which financed a Section 8 assisted project, the Yadkin Senior Citizens Apartments (FHA No. 053–35296).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: April 26, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on September 2, 1993. Refunding bonds have been priced to an average yield of 6.74%. The tax-exempt refunding bond issue of $2,190,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 9% at the call date with tax-exempt bonds yielding 6.74%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 9% to 7.4%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

19. Regulation: 24 CFR 811.107(a)(2), 811.108(b)(3), 811.107(b), 811.108(b)(4), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Odessa, Texas HDC refunding of bonds which financed a Section 8 assisted uninsured project, the Chaparral Village Apartments, HAP No. TX16–0018–005.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Dated Granted: April 28, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. This refunding proposal was approved by HUD on December 27, 1993. Refunding bonds have been priced to an average yield of 6.375%. The tax-exempt refunding bond issue of $1,850,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons benefits through replacement of outstanding tax-exempt coupons of 10.25%–12% at the call date with tax-exempt bonds yielding 6.375%. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likeihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

20. Regulation: 24 CFR 811.107(a)(2), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Warren, Ohio HA refunding of bonds which financed a Section 8 assisted project, the Walnut Towers Apartments (FHA No. 046–35568).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing—Federal Housing Commissioner.

Dated Granted: May 16, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on February 24, 1994. Refunding bonds have been priced to an average yield of 6.86%. The tax-exempt refunding bond issue of $4,600,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10.5% at the call date with tax-exempt bonds at lower current yields. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 10.5% to 7.25%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

21. Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Villa Excelsior HDC refunding of bonds which financed a Section 8 assisted project in Providence, Rhode Island, the Villa Excelsior Apartments (FHA No. 016–35074).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicholas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: May 18, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on April 20, 1994. Refunding bonds have been priced to an average yield of 6.79%. The tax-exempt refunding bond issue of $3,565,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 11.25% at the call date with tax-exempt bonds at lower current yields. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 11.51% to 7.2%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

22. Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Charlotte, North Carolina HDC refunding of bonds which financed a Section 8 assisted project, the Vantage 78 Apartments (FHA No. 053–35283).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicholas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: May 26, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on January 25, 1994. Refunding bonds have been priced to an average yield of 6.94%. The tax-exempt refunding bond issue of $3,255,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 7.8% at the call date with tax-exempt bonds at lower yields. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 7.55% to 6.55%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

23. Regulation: 24 CFR 811.107(a)(2), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Town of Bremen, Indiana refunding of bonds which financed a Section 8 assisted project, the Bremen Village Apartments (FHA No. 073–35457).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicholas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: May 27, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on May 18, 1994. Refunding bonds have been priced to an average yield of 7.0%. The tax-exempt refunding bond issue of $1,340,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 12% at the call date with tax-exempt bonds at lower yields. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 12% to 8.1%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

24. Regulation: 24 CFR 811.107(a)(2), 811.108(a)(1), 811.108(a)(2), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Lancaster, Pennsylvania HFC refunding of bonds which financed a Section 8 assisted project, the Lancaster Apartments (FHA No. 073–35201).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicholas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: June 10, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on May 20, 1994. Refunding bonds have been priced to an average yield of 6.8%. The tax-exempt refunding bond issue of $1,625,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 11.75% at the call date with tax-exempt bonds yielding 6.8%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 12% to 8.3%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

25. Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Dawson Manor HDC refunding of bonds which financed a Section 8 assisted project, the Dawson Manor Apartments (FHA No. 072–35085).

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicholas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: June 10, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on April 28, 1994. Refunding bonds have been priced to an average yield of 6.46%. The tax-exempt refunding bond issue of $3,185,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10¼%–13% at the call date with tax-exempt bonds yielding 6.46%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 11.52% to 6.9%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

26. Regulation: 24 CFR 811.107(a)(2), 811.107(b), 811.108(a)(1), 811.108(a)(2), 811.108(a)(3), 811.114(b)(3), 811.114(d), 811.115(b)

Project/Activity: Warren (Ohio) Metropolitan Housing Authority refunding of bonds which financed a Section 8 assisted project, the Cambridge Arms II Apartments, FHA No. 046–35572.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: June 28, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on January 11, 1994. Refunding bonds have been priced to an average yield of 6.56%. The tax-exempt refunding bond issue of $4,340,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 9.9% at the call date with tax-exempt bonds yielding 6.56%. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 10.125% to 6.75%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

27. Regulation: 24 CFR 811.114(d), 811.115(b), 811.117

Project/Activity: Carbon County, PA HA refunding of bonds which financed a Section 8 assisted project, Palmerton Elderly Apartments, HUD No. PA26–0047–001.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: April 21, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions under Section 103 of the Tax Code. This refunding proposal was approved by HUD on March 25, 1993. Refunding bonds have been priced to an average yield of 5.74%. The tax-exempt refunding bond issue of $2,470,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 9%–9.5% at the call date with tax-exempt bonds yielding 5.74%. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for lower-income families after subsidies expire, a priority HUD objective.

28. Regulation: 24 CFR 811.114(d), 811.115(b), and 811.117

Project/Activity: Burlington, North Carolina HA refunding of bonds which financed a Section 8 assisted project, Alamance Plaza Apartments, FHA No. 053–35319.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: June 08, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions under Section 103 of the Tax Code. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on September 23, 1993. Refunding bonds have been priced to an average yield of 6.8%. The tax-exempt refunding bond issue of $2,795,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10.8%–11.5% at the call date in 1994 with tax-exempt bonds yielding 6.8%. The refunding will also substantially reduce the mortgage interest rate at expiration of the HAP contract from 12% to 7%, thus reducing FHA mortgage insurance risk. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for lower-income families after subsidies expire, a priority HUD objective.

29. Regulation: 24 CFR 811.114(d), 811.115(b), 811.117

Project/Activity: The Housing Finance Authority of Dade County, Florida refunding of bonds which financed a Section 8 assisted project, Lincoln Fields Apartments, FHA No. 066–35161.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation and authorize call of debentures prior to maturity.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: June 28, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding transactions under Section 103 of the Tax Code. To credit enhance refunding bonds not fully secured by the FHA mortgage amount, HUD also agrees not to exercise its option under 24 CFR 207.259(e) to call debentures prior to maturity. This refunding proposal was approved by HUD on February 9, 1993. Refunding bonds have been priced to an average yield of 6.29%. The tax-exempt refunding bond issue of $6,700,000 at current low-interest rates will save Section 8 subsidy. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt coupons of 10.25%–11.25% at the call date in 1994 with tax-exempt bonds at a substantially lower interest rate. The refunding will also substantially reduce the FHA mortgage interest rate at expiration of the HAP contract, from 11.78% to 6.75%, thus reducing FHA mortgage insurance risk, and will provide funds of $435,000 for project repairs. The refunding serves the important public purposes of reducing HUD's Section 8 program costs, improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for lower-income families after subsidies expire, a priority HUD objective.

30. Regulation: 24 CFR 811.114(d)

Project/Activity: Cranbrook HC of Ann Arbor, Michigan refunding of bonds which financed a Section 8 assisted project, the Cranbrook Apartments, HUD No. MI–28–0013–032.

Nature of Requirement: The Regulations set conditions under which HUD may grant a Section 11(b) letter of exemption of multifamily housing revenue bonds from Federal income taxation.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: June 29, 1994.

Reasons Waived: The part 811 regulations cited above were intended for original bond financing transactions and do not fit the terms of refunding bonds to be issued as taxable obligations. Refunding bonds will be issued in an amount sufficient to transfer ownership of the project to a non-profit entity which agrees to extend low-income occupancy for ten years after expiration of the Section 8 Housing Assistance Payments Contract. The Treasury also gains long-term tax revenue benefits through replacement of outstanding tax-exempt bonds with taxable debt. The refunding serves the important public purposes of improving Treasury tax revenues (helping reduce the budget deficit), and increasing the likelihood that projects will continue to provide housing for low-income families after subsidies expire, a priority HUD objective.

Note to Readers: The person to be contacted for additional information about the waiver-grant items in this listing is: Mr. William O. Maynard, Field Coordination Officer, U.S. Department of Housing and Urban Development, Office of Community Planning and Development, 451 7th Street, SW, Washington, DC 20410–7000, Telephone: (202) 708–2565 (This is not a toll-free number).

31. Regulation: 24 CFR 570.200(a)(3)

Project/activity: Waiver of requirements that 70 percent of funds, over a period not to exceed three years, are for activities that benefit low and moderate income persons at 42 U.S.C. 5304(b)(3)(A) and 24 CFR 570.200(a)(3) for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California or the Midwest floods of 1993.

Nature of Requirement: 24 CFR 570.200(a)(3) requires that, over a period not to exceed three years, 70 percent of the aggregate of CDBG expenditures be for activities meeting the criteria at 24 CFR 570.208(a) of benefiting low- and moderate-income persons.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Dated Granted: April 1, 1994; April 22, 1994.

Reasons Waived: Because the damage to community development and housing was so extensive, without regard to income, it is important to give grantees maximum flexibility to carry out activities within the confines of the CDBG program national objectives. The Department does not intend to waive the requirements that activities meet one of the national objectives at 42 U.S.C. 5304(b)(3) and 24 CFR 570.200(a)(2).

32. Regulation: 24 CFR 570.200(a)(5) and (h)

Project/Activity: Waiver of restrictions on the use of CDBG funds to reimburse local funds used to pay for pre-agreement costs at 24 CFR 570.200(a)(5) and (h), for the CDBG Entitlement program, from the incident date of the earthquake, January 17, 1994, and from the beginning of the "Incident Period" for the Midwest floods, for costs incurred on or after that date, for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California or the Midwest floods of 1993.

Nature of Requirement: 24 CFR 570.200(h) permits reimbursement of certain eligible costs incurred prior to the date of the grant agreement. 24 CFR 570.200(a)(5) limits pre-agreement costs to those described in subparagraph 570.200(h), e.g., for environmental assessments, planning and capacity building, engineering and design costs, pre-acquisition costs.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 1, 1994; April 22, 1994.

Reasons Waived: The urgency of the need to begin recovery may require that grantees spend local funds on CDBG eligible activities before the CDBG funds are awarded. Waiver of these provisions would permit reimbursement of local funds used from the date of the earthquake and the Midwest floods.

33. Regulation: 24 CFR 570.201(e)(1) or (2)

Project/Activity: Waiver of the limitation on the amount of funds used for public services at 42 USC 5305(a)(8) and 24 CFR 570.201(e)(1) or (2), as applicable to the affected grantee, to hereby modify those provisions to allow an increase of 10 percent above the previous limitation, for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California or the Midwest floods of 1993.

Nature of Requirement: 24 CFR 570.201(e)(1) and (2) set the limitations for use of CDBG funds for public services at 15 percent of each grant plus program income or a higher percentage, in the case of Los Angeles and Los Angeles County, as provided in the 1982 and 1983 appropriations acts.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 1, 1994; April 22, 1994.

Reasons Waived: Disaster response may require additional level of public services and public services not previously provided by grantees during emergency and recovery periods, e.g., day care, housing counseling, legal services, health services, safety services.

34. Regulation: 24 CFR 570.204(c)(1)

Project/Activity: Waiver of requirements at 24 CFR 570.204(c)91) for the CDBG entitlement program, as necessary, to authorize a Community Housing Development Organization (CHDO), as defined at 24 CFR 92.2, that has been designated to receive HOME Investment Partnership funds to carry out activities under 24 CFR 570.204(a), for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California or the Midwest floods of 1993.

Nature of Requirement: 24 CFR 570.204(c)(1) provides the requirements for qualifying as a ''neighborhood-based nonprofit organization.''

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 1, 1994; April 22, 1994.

Reasons Waived: This waiver provides consistency between the CDBG and HOME programs with regard to nonprofit organizations, and recognizes such CHDOs as qualified special subrecipients under § 570.204(c)(1), eligible to carry out new construction of housing where needed to revitalize neighborhoods damaged by the earthquake and the Midwest floods.

35. Regulation: 24 CFR 570.207(a)(1)

Project/Activity: Waiver of restrictions on the repair or reconstruction of buildings used for the general conduct of government at 42 USC 5305 (a)(2) and (a)(14), and 24 CFR 570.207(a)(1) for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California or the Midwest floods of 1993.

Nature of Requirement: 24 CFR 570.207(a)(1) prohibits providing CDBG assistance to activities for buildings, or portions thereof, used for the general conduct of government.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 1, 1994; April 22, 1994.

Reasons Waived: Waiver is required because of the significant damage to public buildings.

36. Regulation: 24 CFR 570.207(b)(3)

Project/Activity: Waiver of prohibitions on new housing construction at 24 CFR 570.207(b)(3) for the CDBG entitlement program, for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California or the Midwest floods of 1993.

Nature of Requirement: Prohibits use of funds for new housing construction except for assisted housing under section 17 of the United States Housing Act of 1937, housing constructed by a special subrecipient, pursuant to § 570.204(a), and last resort housing under the Uniform Relocation Act pursuant to 24 CFR Part 42.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 1, 1994; April 22, 1994.

Reasons Waived: Because of the large number of housing units destroyed in the Midwest floods and the Northridge earthquake, the flexibility to permit grantees to directly provide new construction assistance is essential in furthering the purposes of disaster recovery.

37. Regulation: 24 CFR 570.208(a)(4)

Project/Activity: Waiver of job retention documentation requirements for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California or the Midwest floods of 1993.

Nature of Requirement: The provisions at 24 CFR 570.208(a)(4), for the CDBG Entitlement program that units of general local government are required, for job retention activities, to document that either or both of the following conditions apply to at least 51 percent of the jobs at the time CDBG assistance is provided: (1) The jobs are known to be held by low or moderate income persons, or (2) the jobs can be expected to turn over within two years and be filled by or made available to low or moderate income persons upon turnover. Instead, units of local governments will be able to presume that the majority of jobs retained as a result of the CDBG funds meet one or both of these conditions. Only the portions of these provisions pertaining to job retention are being waived.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 1, 1994; April 22, 1994.

Reasons Waived: From the high estimates of businesses and jobs lost, it is clear that large numbers of persons will have been out of work and experiencing severe financial hardship. The majority of jobs retained as a result of CDBG assistance can therefore be presumed to benefit persons who are, or will soon become, low or moderate-income persons due to job loss.

38. Regulation: 24 CFR 570.208(b)

Project/Activity: Waiver of requirements not mandated by statute at 24 CFR 570.208(b) that qualify activities as aiding in the prevention or elimination of slums or blight for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California.

Nature of Requirement: 24 CFR 570.208(b) provides the criteria for activities that will be considered to aid in the prevention or elimination of slums or blight on an area basis, on a spot basis, and in an urban renewal area.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 1, 1994.

Reasons Waived: This waiver provides the grantee the latitude to address slum and blighted areas effected by the earthquake.

39. Regulation: 24 CFR 570.606(c)(1)

Project/Activity: Waiver of one-for-one replacement requirements at 42 USC 5304(d)(2) and 24 CFR 570.606(c)(1) for low and moderate income dwelling units (1) damaged by the disaster, (2) for which CDBG funds are used for demolition, and (3) which are not suitable for rehabilitation, for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the January 1994 earthquake in Southern California or the Midwest floods of 1993.

Nature of Requirement: 24 CFR 570.606(c)(1) requires that all occupied and vacant occupiable low/moderate income dwelling units that are demolished or converted to a use other than as low/moderate income dwelling units in connection with a CDBG activity must be replaced with low/moderate income dwelling units.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 1, 1994; April 22, 1994.

Reasons Waived: Not waiving this provision would discourage grantees from demolition and clearance of dwelling units that would otherwise be appropriate for CDBG assistance. Such inaction would inhibit recovery efforts and add to health and safety problems.

40. Regulation: 24 CFR 570.606(C)(2)

Project/Activity: Waiver of requirement to provide ''section 104(d)'' relocation assistance to the owners of real property purchased under a qualified buyout program, as defined in section 4(b) of Pub. L. 103–181, for CDBG entitlement grantees receiving funding under the Emergency Supplemental Appropriations Act of 1994 (Pub. L. 103–211) for emergency expenses resulting from the Midwest floods of 1993.

Nature of Requirement: 24 CFR 570.606(C)(2) requires grantees to provide relocation assistance under section 104(d) of the Housing and Community Development Act of 1974, as amended, to all persons displaced as a result of demolition or conversion in connection with a CDBG-assisted activity.

Granted by: Andrew Cuomo, Assistant Secretary for Community Planning & Development.

Date Granted: April 22, 1994.

Reasons Waived: On December 3, 1993, the President signed the Hazard Mitigation and Relocation Assistance Act of 1993 (Pub. L. 103–181). Section 4 of that Act excluded the purchase of real property under a ''qualified buyout program'' from all provisions of the Uniform Relocation Assistance and Real Property Acquisition Policies Act of 1970 Pub. L. 91–646)(URA). Only voluntary transactions are permitted under qualified buyout programs. This waiver of 104(d) relocation assistance to owners is consistent with Pub. L. 103–181. Low- and moderate-income tenants displaced by conversion or demolition in connection with an assisted project will continue to be eligible for section 104(c) relocation assistance.

Note to the reader: The person to be contacted for additional information about these waiver-grant items is: Margaret Milner, Director, Office of Elderly & Assisted Housing, U.S. Department of Housing & Urban Development, 451 7th Street, SW., Room 6130, Washington, DC 20410–7000, Phone: 202–708–4542.

41. Regulation: 24 CFR 842 and 243—Pet Ownership

PROJECT/ACTIVITY

Project name	Project No.	Regional office
Ecology House	121–HH011	Seattle.

Nature of Requirement: This Regulation provides that no owner or manager of federally assisted rental housing for the elderly or handicapped may as a condition of tenancy or otherwise, prohibit or prevent tenants of such housing from owning or keeping common household pets in their units or restrict or discriminate against persons in connection with admission to, or continued occupancy of such housing because they own common household pets.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: Waivers approved between March 1, 1994 and June 1994.

Reason Waived: Due to the fact that this project was built specifically for persons with Multiple Chemical Sensitivities/Environmental Illness where a significant number of people with this disability are adversely affected by animal hair, dander, and excrement this waiver was granted. However, this waiver did not include service animals since service animals are not considered pets.

42. Regulation: 24 CFR 890.215(A)(2)—Units With Three or More Bedrooms Be Developed To Serve Only Disabled Households of One or Two Disabled Parents With Children

PROJECT/ACTIVITY

Project name	Project No.	Regional office
Life Quest Hsg. Inc..	176–HD002	Seattle.

Nature of Requirement: The Regulation requires that units with three or more bedrooms may be developed to serve only disabled households of one or two disabled parents with children.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: Waivers approved between March 1, 1994 and June 1994.

Reason Waived: Waiver granted to facilitate the development of the project, which has been occupied under a Property Disposition Dollar a Year Lease Program. This would permit unrelated individuals to remain in the home.

43. Regulation: 24 CFR 890.220(a)—Ineligible Amenities

PROJECT/ACTIVITY

Project name	Project No.	Regional office
Agape House ...	062–HD020	Atlanta
Rodney Scheel House.	075–HD009	Chicago
N.W. AIDS Foundation.	127–HD003	Seattle.

Nature of Requirement: The Regulation cited above provides that projects must be modest in design. Amenities not eligible for HUD funding include individual unit balconies and decks, atriums, bowling alleys, swimming pools, saunas and jacuzzis. Dishwashers, trash compactors, and washers and dryers in individual units will not be funded in independent living facilities.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: Waivers approved between March 1, 1994 and June 1994.

Reason Waived: These waivers were granted for this population because the garbage disposals and dishwashers in the individual units are necessary due to health considerations. These amenities will aid in minimizing the risk of infection for individuals whose immune systems are already compromised by the HIV.

44. Regulation: 24 CFR 890.230(4)(g)—Projects Located Adjacent to Prohibited Facilities

PROJECT/ACTIVITY

Project name	Project No.	Regional office
New York Society Deaf.	012–HD017	New York
Life Quest Hsg. Inc.	176–HD002	Seattle

Nature of Requirement: The Regulation states that projects may not be located adjacent to the following facilities, or in areas where such facilities are concentrated; schools or day-care centers for persons with disabilities, workshops, medical facilities or other housing primarily serving persons with disabilities.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: Waiver approved between March 1, 1994 and June 1994.

Reason Waived: New York Society for the Deaf waiver granted because of the site's proximity to the sponsor's main office, availability of suitable City-owned property, and the availability of services and transportation required for the intended residents. The waiver for Life Quest Housing Inc. was granted to facilitate the development of the project, which is adjacent to an existing project for persons with disabilities, since it had already been occupied under the Property Disposition Dollar a Year Lease Program.

45. Regulation: 24 CFR 890.305(c)—Transfer of Fund Reservation From One Owner Corporation to Another

Project name	Project No.	Regional office
Parkway Hsg. Inc..	063–HH004	Atlanta.
New Outlook	063–HH005	Atlanta.

Nature of Requirement: The Regulation provides that no part of the funds reserved may be transferred by the Sponsor, except to the Owner caused to be formed by the Sponsor. This action must be accomplished prior to issuance of a Conditional Commitment.

Granted by: Nicolas P. Retsinas, Assistant Secretary for Housing-Federal Housing Commissioner.

Date Granted: Waivers approved between March 1, 1994 and June 1994.

Reason Waived: These waivers were granted due to the cost savings that may be realized by the development of one project rather than two. However, these waivers were subject to the determination that the New Outlook project, as amended, would not have adversely altered the competition for the Fiscal Year 1990 funding round.

Note to reader: The person to be contacted for additional information about these waiver-grant items is: Gary Van Buskirk, Director, Homeownership Division, Office of Resident Initiatives, Department of Housing and Urban Development, 451 Seventh Street SW., Room 4112, Washington, DC 20410, Phone: (202) 708–4233. (This is not a toll-free number.)

46. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project Activity: Duluth, Minnesota, Redevelopment Housing Authority (DRHA), Turnkey III Homeownership Opportunity Programs Project MN–003009.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: October 26, 1993.

Reason Waived: Project debt forgiveness was authorized by the provisions of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

47. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: Richmond, Indiana Housing Authority (HACR), Turnkey III Homeownership Opportunity Programs, Project IN 9–5.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: November 12, 1993.

Reason Waived: Project debt forgiveness was authorized by the provisions of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

48. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: The Cambridge, Massachusetts Housing Authority (CHA), Turnkey III Homeownership Opportunity Program Project MA 3–15.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: March 10, 1994.

Reason Waived: Project debt forgiveness was authorized by the provisions of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

49. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: Shelby, North Carolina Department of Housing (CSDH), Turnkey III Homeownership Opportunity Program Project NC 34–5.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: March 16, 1994.

Reason Waived: Project debt forgiveness was authorized by the provisions of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing

Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

50. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: The Kankakee County, Illinois Housing Authority, Turnkey III Homeownership Opportunity Program Project IL 39–5.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: March 24, 1994.

Reason Waived: Project debt forgiveness was authorized by the provisions of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

51. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: The Evansville, Indiana, Housing Authority, Turnkey III Homeownership Opportunity Program Project IN 16–09 (scattered sites).

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: March 31, 1994.

Reason Waived: Project debt forgiveness was authorized by the provisions of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

52. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: The Peoria, Illinois, Housing Authority, Turnkey III Homeownership Opportunity Program Project IL 3–6.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: April 1, 1994.

Reason Waived: Project debt forgiveness was authorized by the provisions of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

53. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: The Virgin Islands Housing Authority, Turnkey III Homeownership Opportunity Programs Projects VO 001013, 001014, 001025.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: May 12, 1994.

Reason Waived: Project debt forgiveness was authorized by the provision of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

54. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: Columbus, Ohio Metropolitan Housing Authority, Turnkey III Homeownership Opportunity Programs Projects OH–16–P001–011, 017, and 022 through 027.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: May 16, 1994.

Reason Waived: Project debt forgiveness was authorized by the provision of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

55. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: East Grand Forks, Minnesota Redevelopment Authority, Turnkey III Homeownership Opportunity Programs Projects MN 04–5002.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: June 8, 1994.

Reason Waived: Project debt forgiveness was authorized by the provision of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

56. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: Saginaw, Michigan Housing Commission, Turnkey III Homeownership Opportunity Programs Projects MI 06–08.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: June 8, 1994.

Reason Waived: Project debt forgiveness was authorized by the provision of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

57. Regulation: 24 CFR part 904 subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: Cuyahoga Metropolitan Housing Authority (CMHA), Cleveland, Ohio Turnkey III Homeownership Opportunity Programs Projects OH 3–5, 3–43, 3–47, 3–48, 3–49, 3–51, and 3–60 thru 3–69.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook require that upon sale of a homeownership unit that the monies received be remitted to HUD to reduce the capital indebtedness on the project. Excess Residual Receipts and or Operating Reserves are also to be remitted to HUD.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: June 8, 1994.

Reason Waived: Project debt forgiveness was authorized by the provision of Section 3004 of the Housing and Community Development Reconciliation Amendments of 1985 (the Amendments), Pub. L. 99–272 (April 7, 1986), which amends Section 4 of the United States Housing Act of 1937. The Amendments authorized the Secretary of HUD to forgive outstanding principal and interest on loans made by the Secretary to Public Housing Agencies (PHAs)/Indian Housing Authorities (IHAs) and to cancel the terms of any contract with respect to repayment.

Turnkey III debt forgiveness, as authorized above, is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for debt forgiveness.

58. Regulation: 24 CFR part 904 Subpart B (Turnkey III Homeownership Opportunity Program) and Corresponding Provisions of the Turnkey III Handbook (7495.3)

Project/Activity: East St. Louis, Illinois Housing Authority (ESLHA), Turnkey III Homeownership Opportunity Programs Projects IL 1–14, 1–16, 1–18, 1–20, 1–22, 1–23, 1–24. To permit conversion of selected units to low income rental status.

Nature of Requirement: 24 CFR part 904 subpart B and the Turnkey III Handbook define and govern the Turnkey III Homeownership Opportunity Program.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: June 30, 1994.

Reason Waived: The East St. Louis, Illinois requested the ability to convert certain housing units of the ESLHA's project numbers IL 1–14, 1–16, 1–18, 1–20, 1–22, 1–23 and 1–24 to low rent public housing status. The Department of Housing and Urban Development has established certain criteria and procedures by which to judge the efficacy of such a conversion on a case by case basis. After investigation of the circumstances, and in an attempt to assist the ESLHA to better serve its low income tenants, the Department decided that granting this conversion was in the best interests of all concerned.

The conversion of Turnkey III units to low income rental is implemented according to existing HUD procedures.

The housing authority has shown good cause and demonstrated compliance with all applicable regulatory requirements for this conversion.

59. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522).

Project/Activity: To permit a HOPE 1 mini-planning grantee, the St. Louis, Missouri Housing Authority (SLHA) a time extension to carryout the activities specified in its grant agreement. This extension would be of benefit to the residents participating in homeownership planning at its South Broadway development.

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: June 27, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is ''not otherwise required by law'' may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

The SLHA was impeded in carrying out grant activities due to the 1993 flood of the Mississippi River. This disaster interrupted early progress made on the grant. The SLHA has demonstrated to the Department that an extension of the grant period is necessary to accomplish its approved plan.

60. Regulation: HOPE for Public and Indian Housing Homeownership (HOPE 1) Program, Guidelines, Section 301(b)(1) as published on January 14, 1992 (57 FR 1522)

Project/Activity: To permit a HOPE 1 mini-planning grantee, the Poughkeepsie, New York Housing Authority (PHA) a time extension to carryout the activities specified in its grant agreement at its Dr. Joseph Brady Gardens (Boulevard Knolls) development. This extension would be of benefit to the residents participating in homeownership planning at the above mentioned development.

Nature of Requirement: Section 301(b)(3) of the HOPE 1 Program Guidelines limit a HOPE 1 mini-planning grantee to carrying out activities funded under its grant within eighteen (18) months of the effective date of the mini-planning grant agreement.

Granted by: Joseph Shuldiner, Assistant Secretary for Public and Indian Housing, P.

Date Granted: June 27, 1994.

Reason Waived: Pursuant to Section 901 of the HOPE 1 Guidelines, a regulatory provision that is ''not otherwise required by law'' may be waived by the Assistant Secretary for Public and Indian Housing upon a determination of good cause, and upon documentation of the pertinent facts and grounds supporting the waiver.

Good cause was exhibited as follows:

The PHA had a recent change in management and the residents have shown a renewed interest in the homeownership program. This revived interest has rectified the non-involvement, lack of communication and participation of the old tenant council. The PHA also wished to reallocate funding to increase economic development planning and to add training and technical assistance to service the renewed resident interest in the grant. Further action on the grant was contingent on the extension being granted.

Note to Reader: The person to be contacted for additional information about these waiver-grant items in this listing is: John Comerford, Director, Financial Management Division, Office of Assisted Housing, Office of Public and Indian Housing, Department of Housing and Urban Development, 451 Seventh Street, SW., Washington, DC 20410, Phone: (202) 708–1872, TDD: (202) 708–0850 (these are not toll-free numbers).

61. Regulation: 24 CFR 990.104

Project/Activity: Key West, FL, Housing Authority In determining the operating subsidy eligibility, a request was made for funding for five units approved for non-dwelling use to promote an anti-drug program.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: April 18, 1994.

Reason Waived: To allow additional subsidy for units approved for non-dwelling use to promote an anti-drug program pending publication of a final rule implementing this change to the regulation.

62. Regulation: 24 CFR 990.104

Project/Activity: Newberry, SC, Housing Authority In determining the operating subsidy eligibility, a request was made for funding for 1 unit approved for non-dwelling use to promote an economic self-sufficiency program.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: April 18, 1994.

Reason Waived: To allow additional subsidy for a unit approved for non-dwelling use to promote economic self-sufficiency services pending publication of a final rule implementing this change to the regulation.

63. Regulation: 24 CFR 990.104

Project/Activity: Fort Worth, TX, Housing Authority In determining the operating subsidy eligibility, a request was made for funding for four units approved for non-dwelling use to promote economic self-sufficiency and anti-drug programs.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: May 16, 1994.

Reason Waived: To allow additional subsidy for units approved for non-dwelling use to promote economic self-sufficiency services and anti-drug programs pending publication of a final rule implementing this change to the regulation.

64. Regulation: 24 CFR 990.104

Project/Activity: Parkersburg, WV, Housing Authority In determining the operating subsidy eligibility, a request was approved for funding for 1 unit approved for non-dwelling use to promote an economic self-sufficiency program.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: May 16, 1994.

Reason Waived: To allow additional subsidy for a unit approved for non-dwelling use to promote economic self-sufficiency services pending publication of a final rule implementing this change to the regulation.

65. Regulation: 24 CFR 990.104

Project/Activity: Chetek, WI, Housing Authority In determining the operating subsidy eligibility, a request was made to extend the deadline for submission of a request for adjustment to the Allowable Expense Level.

Nature of Requirement: The Final Rule for PFS Allowable Expense Level appeals imposed a sixty day deadline on submission of requests for adjustment.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: May 26, 1994.

Reason Waived: The housing authority was undergoing a change in management at the time and did not recognize the significance of the recalculation. This waver was granted based on the Housing Agency's eligibility for a large adjustment and its great need for this funding to support its operations.

66. Regulation: 24 CFR 990.104

Project/Activity: Fort Myers, FL, Housing Authority In determining the operating subsidy eligibility, a request was granted for funding for four units approved for non-dwelling use to promote economic self-sufficiency and anti-drug programs.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: June 3, 1994.

Reason Waived: To allow additional subsidy for units approved for non-dwelling use to promote economic self-sufficiency services and anti-drug programs pending publication of a final rule implementing this change to the regulation.

67. Regulation: 24 CFR 990.104

Project/Activity: Portsmouth, VA, Housing Authority In Determining the operating subsidy eligibly, a request was approved for funding for 1 unit approved for non-dwelling use to promote an economic self-sufficiency program.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Dated Granted: June 9, 1994.

Reason Waived: To allow additional subsidy for a unit approved for non-dwelling use to promote economic self-sufficiency services pending publication of a final rule implementing this change to the regulation.

68. Regulation: 24 CFR 990.104

Project/Activity: Raton NM, Housing Authority In determining the operating subsidy eligibility, a request was granted for funding for one unit approved for non-dwelling use to promote economic self-sufficiency and anti-drug program.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Dated Granted: June 9, 1994.

Reason Waived: To allow additional subsidy for a unit approved for non-dwelling use to promote economic self-sufficiency services and anti-drug programs pending publication of a final rule implementing this change to the regulation.

69. Regulation: 24 CFR 990.104

Project/Activity: New Iberia, LA, housing Authority In determining the operating subsidy eligibility, a request was made for funding for one unit approved for non-dwelling use to promote an anti-drug program.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Dated Granted: June 9, 1994.

Reason Waived: To allow additional subsidy for a unit approved for non-dwelling use to promote an anti-drug program pending publication of a final rule implementing this change to the regulation.

70. Regulation: 24 CFR 990.104

Project/Activity: North Charleston, SC, Housing Authority In determining the operating subsidy eligibility, a request was approved for funding for six units approved for non-dwelling use to promote an economic self-sufficiency program.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Dated Granted: June 9, 1994.

Reason Waived: To allow additional subsidy for a unit approved for non-dwelling use to promote economic self-sufficiency services pending publication of a final rule implementing this change to the regulation.

71. Regulation: 24 CFR 990.104

Project/Activity: Wilkes-Barre, PA, Housing Authority In determining the operating subsidy eligibility, a request was granted for funding for one unit approved for non-dwelling use to promote economic self-sufficiency and anti-drug programs.

Nature of Requirement: The operating subsidy calculation excludes funding for units removed from the dwelling rental inventory.

Granted by: Joseph Shuldiner, Assistant Secretary.

Dated Granted: June 9, 1994.

Reason Waived: To allow additional subsidy for units approved for non-dwelling use to promote economic self-sufficiency services and anti-drug programs pending publication of a final rule implementing this change to the regulation.

72. Regulation: 24 CFR 990.109(b)(3)(iv)

Project/Activity: A request was made by the Clarkson, NE Housing Authority to use its actual occupancy rate of 57% in determining its operating subsidy eligibility for its fiscal year ending (FYE) 3/31/95.

Nature of Requirement: A public housing agency (PHA) that has completed a Comprehensive Occupancy Plan (COP) without achieving a 97% occupancy percentage or having an average of five or fewer vacant units must use a projected occupancy rate of 97%.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: April 11, 1994.

Reason Waived: The Clarkson Housing Authority is a small PHA of 30 units, primarily elderly. There has been a significant decline in the town's population according to census data, as well as loss of businesses and medical staff during the past several years. Because the documented lack of demand was basically beyond the control of the Authority, and in order to preclude further depletion of its operating reserves, the PHA was allowed to use 57% as its occupancy percentage for its fiscal year ending 3/31/95.

73. Regulation: 24 CFR 990.109(b)(3)(iv)

Project/Activity: A request was made by the Kinsley, KS Housing Authority to use its actual occupancy rate of 72% in determining its operating subsidy eligibility for its fiscal year ending (FYE) 3/31/95.

Nature of Requirement: A public housing agency (PHA) that has completed a Comprehensive Occupancy Plan (COP) without achieving a 97% occupancy percentage or having an average of five or fewer vacant units must use a projected occupancy rate of 97%.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: April 20, 1994.

Reason Waived: The Kinsley Housing Authority is a small PHA of 39 units. It has been experiencing a vacancy problem for the past several years during which it has pursued many vacancy reduction strategies and has reduced the number of vacant units to seven. It now plans to convert efficiency units into one and two bedroom units which is expected to result in fewer vacancies. To prevent undue hardships while it is trying to reduce vacancies, the PHA was allowed to use 72% as its occupancy percentage for its fiscal year ending 3/31/95.

74. Regulation: 24 CFR 990.109(b)(3)(iv)

Project/Activity: A request was made by the Niobrara, NE Housing Authority to use its actual occupancy rate of 55% in determining its operating subsidy eligibility for its fiscal year ending (FYE) 3/31/95.

Nature of Requirement: A public housing agency (PHA) that has completed a Comprehensive Occupancy Plan (COP) without achieving a 97% occupancy percentage or having an average of five or fewer vacant units must use a projected occupancy rate of 97%.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: May 19, 1994.

Reason Waived: The Niobrara Housing Authority is a small PHA of 20 units. There has been a significant decline in the town's population. In order to be supportive of its efforts to maintain a reasonable level of services to the remaining elderly residents, the PHA was allowed to use 55% as its occupancy percentage for its fiscal year ending 3/31/95.

75. Regulation: 24 CFR 990.109(b)(3)(iv) and 990.118(d)

Project/Activity: Philadelphia Housing Authority, PA. In determining operating eligibility, a request was made to terminate its currently approved Comprehensive Occupancy Plan and use its actual occupancy percentage of 77% for its fiscal year ending in 1994 and to use 78% for 1995 and 82% for 1996.

Nature of Requirement: The regulation defines the term of a Comprehensive Occupancy Plan (COP) and requires that a PHA that completes its COP without achieving a 97% occupancy percentage use a projected occupancy percentage of 97%.

Granted by: Joseph Shuldiner, Assistant Secretary.

Date Granted: May 19, 1994.

Reason Waived: The Department has found that large troubled Housing Authorities often have vacancy problems of such a magnitude and complexity that long term planning is very difficult. COPs for such authorities quickly become obsolete. Agreement was reached on an alternative approach to a COP in which the Housing Authority uses a lower occupancy percentage and at least 60% of the resulting increase in operating subsidy is to be used for specific, identifiable actions to increase occupancy. The Housing Authority is responsible for developing a vacancy reduction strategy which will be approved by HUD. Based on this agreement an occupancy percentage of 77% was approved for the fiscal year ending 3/31/94 and 78% for the fiscal year ending 3/31/95. In February 1995, the Philadelphia HUD Office will conduct an on-site review to check and compare actual accomplishments to date against expected occupancy goals. A decision on the occupancy percentage for 3/31/96 will be based on the results of that review.

[FR Doc. 95–1584 Filed 1–20–95; 8:45 am]

BILLING CODE 4210–32–M

DEPARTMENT OF THE INTERIOR

Bureau of Land Management

[ID–020–1200–00]

Road Closures

AGENCY: Bureau of Land Management, Department of the Interior Action: Notice of temporary closures of public lands in Cassia and Twin Falls Counties, Idaho.

SUMMARY: Notice is hereby given that certain public lands in Idaho, within Cassia and Twin Falls Counties, shall be closed to prevent erosion and rutting of the roads traveled by motor vehicles during wet or snowy conditions. The roads will be closed immediately, and remain closed through April 16, 1995. All roads will be posted at the entrance to public lands.

The legal land descriptions for the road closures are as follows:

The Indian Springs Road (BLM road #4214), from the Foothill Road to the U.S. Forest Service boundary, a distance of approximately 4.5 miles. The road is located at T. 12 S., R. 18 E., section 4 in Twin Falls County.

The Cherry Springs Road (BLM road #4213), from the Rock Creek Road southwest to its intersection with the Indian Springs Road, just north of the U.S. Forest Service boundary. This is a distance of approximately 6 miles. The road is located at T. 12 S. R. 18 E. section 2 in Twin Falls County.

The North Cottonwood Road (BLM road #4221) has two entrances, one on the east side, and one on the west. The east entrance of North Cottonwood Creek Road starts at the Foothill Road and goes to the junction of the North Cottonwood Creek Road, approximately 6 miles. The west entrance to North Cottonwood Road starts at the Foothill Road and goes to the U.S. Forest Service boundary, a distance of approximately 5 miles, and back to the Foothill Road, a loop of approximately 11 miles total. The legal descriptions are T. 12 S., R. 17 E., section 11 (for the west entrance), and T. 12 S., R 18 E., section 06 (for the east entrance), in Twin Falls County).

The Curtis Spring Road (BLM road #42163), begins at the Foothill Road, and goes for approximately 3.5 miles. The legal description is T. 12 S., R. 17 E., section 02, in Twin Falls County.

The Squaw Joe Road (BLM road #4220), south of the Nat-Soo-Pah Warm Springs, to the U.S. Forest Service boundary, approximately 3.5 miles. The legal description is T. 12 S., R. 17 E., section 02, in Twin Falls County.

The West Fork of Dry Creek Road (BLM road #1610), from the Tugaw Ranch southwest to the U.S. Forest Service boundary, a distance of approximately 6 miles. The legal description is T. 12 S., R. 19 E., section 01, in Cassia County.

The East Fork of Dry Creek, off Foothill Road (BLM road #1609), southeast to the U.S.